

CITY OF SAN ANTONIO

Board of Adjustment Regular Meeting Agenda

First Floor, Board Room
Development and Business Services Center
1901 South Alamo Street

Monday, October 18, 2004

Board of Adjustment Board Members

Vacant	District 1	Vacant	District Mayor
Oscar Williams	District 2	Yolanda Arellano	District 7
Jesse F. Jenkins	District 3	Abraham (Abe) Ramirez	District 8
Joseph M. Tinti	District 4	Mike Villyard	District 9
Jesse Zuniga, Jr.	District 6	Michael Gallagher	District 10
	Laura Lizcano	District 5	
	Chairperson		

- I. **12:00 Noon – Work Session presentation by staff to discuss procedures and other items for consideration on the agenda for October 18th, 2004.**
- II. **1:00 p.m. – Public Hearing Call to Order and Roll Call.**
- III. **Invocation.**
- IV. **A-04-038PP:** The request of Paisano Trust for an appeal of the Development Services Director's decision to deny non-conforming rights for multi-family use on property zoned for single-family residential use, 6.529 acres between Minipark Lane and Zarzamora Creek.
- V. **A-04-117PP:** The request of Volunteers of America, Texas for a 1.65-foot variance from the maximum 20-foot front setback required in C-1 Commercial Districts to build a structure 21.65 feet from the front property line, **and** a 72.57-foot variance from the maximum 20-foot front setback required in C-1 Commercial Districts to build a structure 92.57 feet from the front property line, 8503 and 8527 Huebner Road.
- VI. **A-04-109:** The request of Wm. A. Fowler, Jr. for an appeal of the Development Services Director's decision to issue building permits for the construction of two residences, 1823 and 1827 Oakline Drive.
- VII. **A-04-125:** The request of Juan J. Aceves for an 8-foot, 4-inch variance to keep an existing carport within the minimum 20-foot front setback required for carports, **and** a 4-foot, 9-inch variance to keep the existing carport within the minimum 5-foot side setback required in R-5 Residential Single-Family Districts, 4415 Moongold.
- VIII. **A-04-127:** The request of Diana G. Fuentes for a Special Exception to operate a one-operator beauty shop, in conjunction with a residential use, in a residential zone, 5931 Cliff Ridge.

- IX. **A-04-128:** The request of Lullwood Congregation of Jehovah's Witnesses for a 2-foot variance from the maximum 4-foot fence height requirement to keep a 6-foot solid screen fence within the front yard, **and** a 2-foot variance from the maximum 4-foot fence height requirement to erect a 6-foot wrought-iron fence within the front yards, 915 West Mistletoe Avenue.
- X. **A-04-129:** The request of Camp Street Partners for a 2-foot variance from the maximum 6-foot fence height requirement to erect an 8-foot fence, 114 Camp Street.
- XI. **A-04-130:** The request of Kenneth L. Denton for a 4-foot variance from the maximum 4-foot fence height required in front yards to keep an existing 8-foot fence along the east property line and along a portion of the south property line, 1207 North Flores Street.
- XII. **A-04-131:** The request of Norma Bergeron for a Special Exception to relocate a structure from 701 West Theo Avenue to 320 Stonewall Avenue.
- XIII. **A-04-132:** The request of Pablo Garcia for a Special Exception to relocate a structure from 5250 Evers Road to 435 Mayberry Avenue.
- XIV. **A-04-133:** The request of Miguel Tecuanhuey for a Special Exception to relocate a structure from 11310 South Zarzamora Street to 500 Mercedes Street.
- XV. **Staff Report.**
- XVI. **Approval of the minutes from the regular meetings on September 13th, 20th, and October 4th, 2004.**
- XVII. **Executive Session:** consultation on Attorney-client matters (real estate, litigation, personnel, and security matters) as well as any of the above agenda items may be discussed.
- XVIII. **Adjournment.**

Note: The City of San Antonio Board of Adjustment Agenda is on the Internet at:
www.sanantonio.gov/dsd

Accessibility Statement

This meeting is wheelchair accessible. The accessible entrance is located at 1901 South Alamo Street. Accessible parking spaces are located in front of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling 207-7245.

BOARD OF ADJUSTMENT

October 18, 2004

CASE NO. A-04-038PP

The Board of Adjustment will hold a Public Hearing at 1:00 PM on Monday, October 18, 2004 in the Board Room, located on the 1st floor, Development & Business Services Center, 1901 S. Alamo Street, to consider the following application:

Earl & Associates, P.C.

The south irregular 452.45 feet of the north irregular 702.1 feet of Lot 13B and the west 5.51 feet of Lots 14 and 16, Block 1, NCB 8251; 330 Mayberry

The south irregular 459.41 feet of Lot 12 and the south irregular 362.49 feet of the north 612.49 feet of the West 204.27 feet of Lot 13, Block 1, NCB 8251; 330 Mayberry

Lots 1, 2, 3, and 4, Block 4, NCB 16073; 300 Minipark Lane

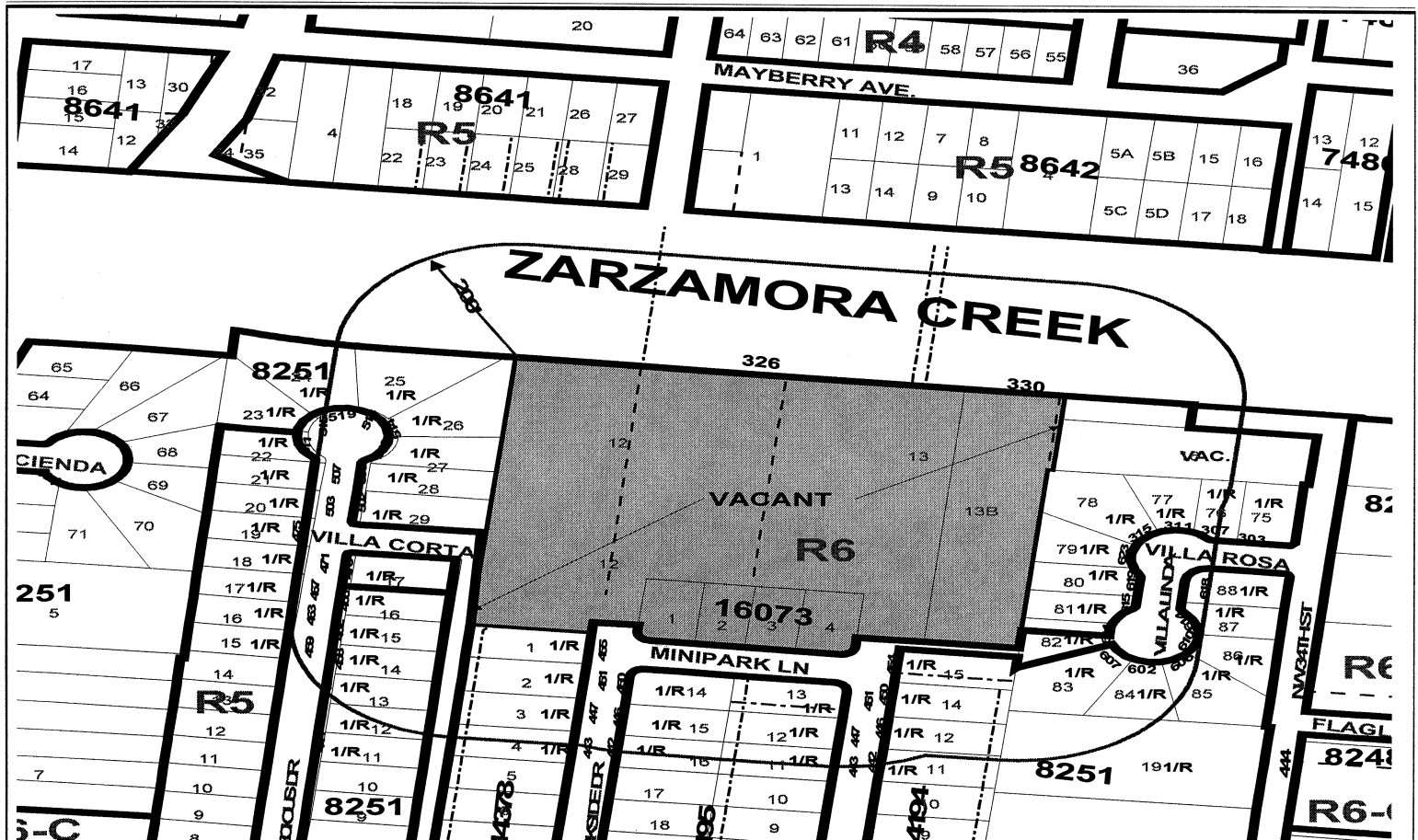
Zoned: "R-6" Residential Single-Family District

The applicant is appealing the Director of the Department of Development Services' decision to deny non-conforming rights.

The Development Services Department could not issue a permit because the applicant did not meet the requirements of Section 35-702.

The City of San Antonio, Texas, desires that you as an interested property owner, be advised as to the action being taken in reference to this application and invites you to attend this public hearing to express your desires in the matter. Construction on the variances granted by the Board must be started within six (6) months of the date of the hearing

PLEASE COMPLETE AND RETURN THIS ENCLOSED NOTICE BY MAIL TO THE DEVELOPMENT SERVICES DEPARTMENT, P.O. BOX 839966, SAN ANTONIO, TEXAS, 78283-3966, WHETHER OR NOT YOU ATTEND THIS PUBLIC HEARING. FOR FURTHER INFORMATION PLEASE CALL (210) 207-8318



BOARD OF ADJUSTMENT

October 18, 2004

CASE NO. A-04-117PP

The Board of Adjustment will hold a Public Hearing at 1:00 PM on Monday, October 18, 2004 in the Board Room, located on the 1st floor, Development & Business Services Center, 1901 S. Alamo Street, to consider the following application:

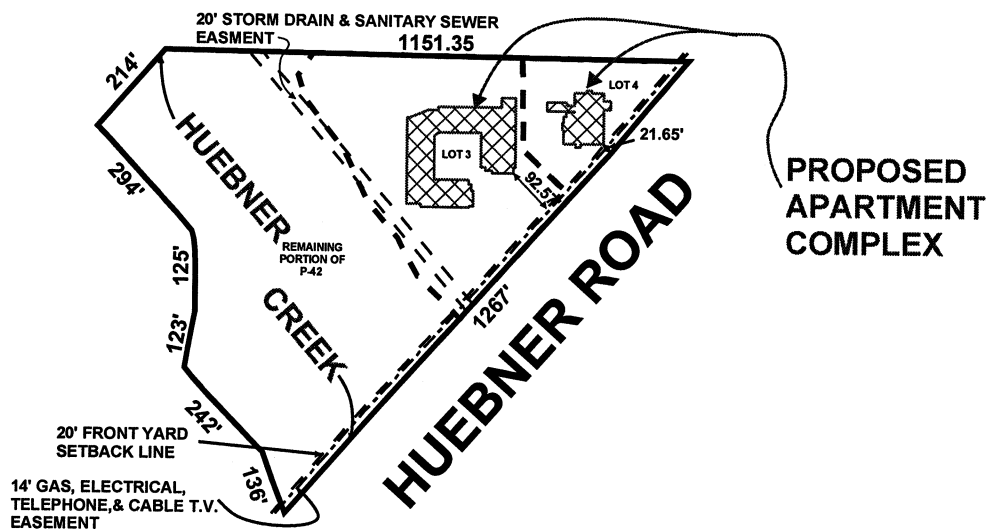
Volunteers Of America, Texas
P-42, NCB 14618
8503 and 8527 Huebner Road
Zoned: "C-1" Commercial District

The applicant requests 1.) a 1.65 foot variance from the required maximum 20 foot front setback to build a structure with a 21.65 foot front setback and, 2.) a 72.57 foot variance from the required maximum 20 foot front setback to build a structure with a 92.57 foot front setback.

The Development Services Department could not issue a permit because Section 35-310.01 Table 310-1 requires a maximum front setback of 20 feet.

The City of San Antonio, Texas, desires that you as an interested property owner, be advised as to the action being taken in reference to this application and invites you to attend this public hearing to express your desires in the matter. Construction on the variances granted by the Board must be started within six (6) months of the date of the hearing

PLEASE COMPLETE AND RETURN THIS ENCLOSED NOTICE BY MAIL TO THE DEVELOPMENT SERVICES DEPARTMENT, P.O. BOX 839966, SAN ANTONIO, TEXAS, 78283-3966, WHETHER OR NOT YOU ATTEND THIS PUBLIC HEARING. FOR FURTHER INFORMATION PLEASE CALL (210) 207-8318



Plot Plan
A-04-117P.P.

Produced by the City of
San Antonio Planning Department
in cooperation with Development
Services Department

BOARD OF ADJUSTMENT

October 18, 2004

CASE NO. A-04-109

The Board of Adjustment will hold a Public Hearing at 1:00 PM on Monday, October 18, 2004 in the Board Room, located on the 1st floor, Development & Business Services Center, 1901 S. Alamo Street, to consider the following application:

Wm. A. Fowler. Jr.
Lots 36 and 37, Block 9, NCB 16795
1823 and 1827 Oakline Drive
Zoned: "R-5" Residential Single-Family District

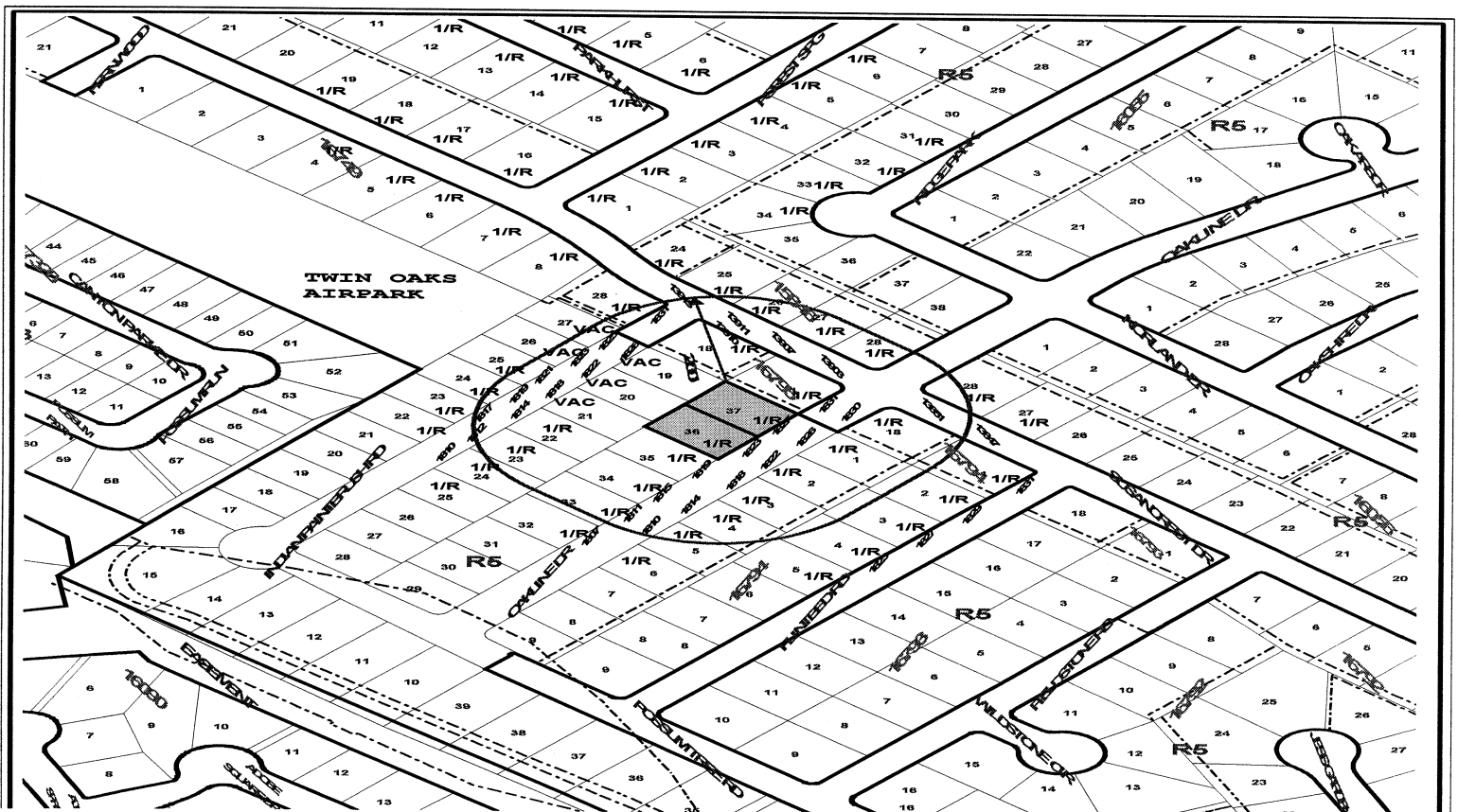
The applicant is appealing the Director of Development Services' decision to issue building permits for construction of two residences.

The Development Services Department issued building permits for these properties. Section 35-801(g) of the Unified Development Code allows the Board of Adjustment "to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official.

The applicant intends to show just cause why the permits should not have been issued.

The City of San Antonio, Texas, desires that you as an interested property owner, be advised as to the action being taken in reference to this application and invites you to attend this public hearing to express your desires in the matter. Construction on the variances granted by the Board must be started within six (6) months of the date of the hearing

PLEASE COMPLETE AND RETURN THE NOTICE ENCLOSED BY MAIL TO THE DEVELOPMENT SERVICES DEPARTMENT, P.O. BOX 839966, SAN ANTONIO, TEXAS, 78283-3966, WHETHER OR NOT YOU ATTEND THIS PUBLIC HEARING. FOR FURTHER INFORMATION PLEASE CALL (210) 207-8318



BOARD OF ADJUSTMENT

October 18, 2004

CASE NO. A-04-125

The Board of Adjustment will hold a Public Hearing at 1:00 PM on Monday, October 18, 2004 in the Board Room, located on the 1st floor, Development & Business Services Center, 1901 S. Alamo Street, to consider the following application:

Juan J. Aceves

Lot 13, Block 12, NCB 17178

4415 Moongold

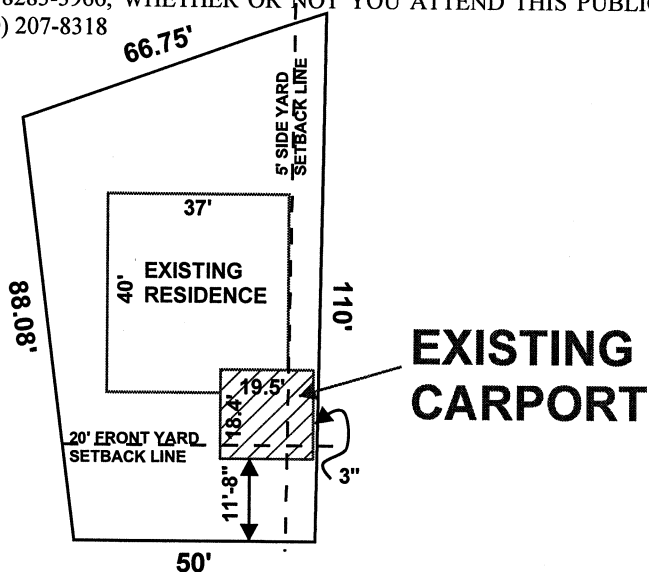
Zoned: "R-5" Residential Single-Family District

The applicant requests 1.) an 8 foot, 4 inch variance to keep an existing carport within the required minimum 20 foot front setback and 2.) a 4 foot, 9 inch variance to keep the existing carport within the required minimum 5 foot side setback.

The Development Services Department could not issue a permit because Section 35-516 (g) of the Unified Development Code requires a minimum 20 foot front setback and Section 35-310.01 (b) Table 310-1 of the Unified Development Code requires a minimum 5 foot side setback.

The City of San Antonio, Texas, desires that you as an interested property owner, be advised as to the action being taken in reference to this application and invites you to attend this public hearing to express your desires in the matter. Construction on the variances granted by the Board must be started within six (6) months of the date of the hearing

PLEASE COMPLETE AND RETURN THE ENCLOSED NOTICE BY MAIL TO THE DEVELOPMENT SERVICES DEPARTMENT, P.O. BOX 839966, SAN ANTONIO, TEXAS, 78283-3966, WHETHER OR NOT YOU ATTEND THIS PUBLIC HEARING. FOR FURTHER INFORMATION PLEASE CALL (210) 207-8318



MOONGOLD
Plot Plan
A-04-125

Produced by the City of
San Antonio Planning Department
in cooperation with Development
Services Department

BOARD OF ADJUSTMENT

October 18, 2004

CASE NO. A-04-127

The Board of Adjustment will hold a Public Hearing at 1:00 PM on Monday, October 18, 2004 in the Board Room, located on the 1st floor, Development & Business Services Center, 1901 S. Alamo Street, to consider the following application:

Diana G. Fuentes

Lot 123, Block 12, NCB 18712

5931 Cliff Ridge

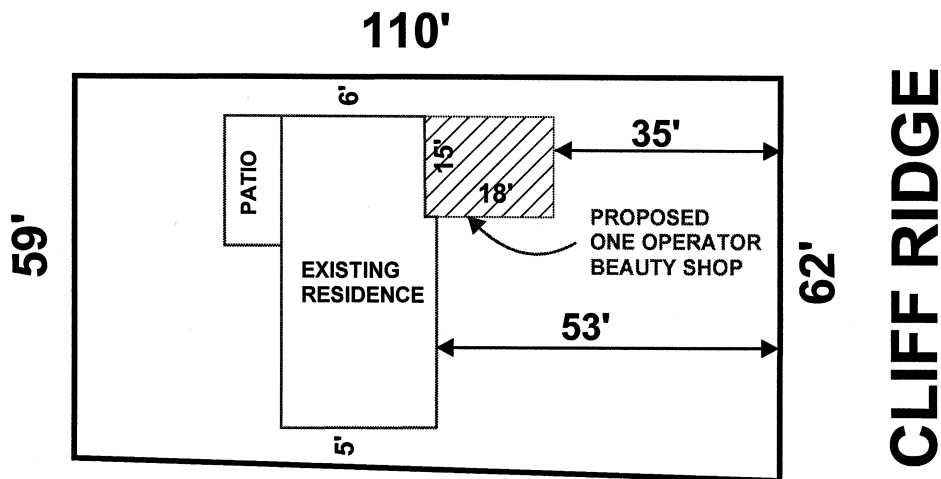
Zoned: "R-6" Residential Single-Family District

The applicant requests a Special Exception to operate a one(1) operator beauty shop in a residential area.

Before the Development Services Department can issue a permit, the Board of Adjustment must grant a Special Exception to the applicant as required in Section 35-375. The proposed hours of operation will be Monday through Friday from 9AM to 6PM and Saturday from 8AM to 6PM. Total proposed hours of operation per week is 55 hours.

The City of San Antonio, Texas, desires that you as an interested property owner, be advised as to the action being taken in reference to this application and invites you to attend this public hearing to express your desires in the matter. Construction on the variances granted by the Board must be started within six (6) months of the date of the hearing

PLEASE COMPLETE AND RETURN THIS ENCLOSED NOTICE BY MAIL TO THE DEVELOPMENT SERVICES DEPARTMENT, P.O. BOX 839966, SAN ANTONIO, TEXAS, 78283-3966, WHETHER OR NOT YOU ATTEND THIS PUBLIC HEARING. FOR FURTHER INFORMATION PLEASE CALL (210) 207-8318



Plot Plan
A-04-127

Produced by the City of
San Antonio Planning Department
in cooperation with Development
Services Department

BOARD OF ADJUSTMENT

October 18, 2004

CASE NO. A-04-128

The Board of Adjustment will hold a Public Hearing at 1:00 PM on Monday, October 18, 2004 in the Board Room, located on the 1st floor, Development & Business Services Center, 1901 S. Alamo Street, to consider the following application:

Lullwood Congregation of Jehovah's Witnesses

Lots 11, 12 13, 14, 35, 36, 37, 38, the East 10 feet of Lots 10 and 34 and the West 10 feet of Lots 15 and 39, and the adjacent alley, Block 36, NCB 1828

915 West Mistletoe Avenue

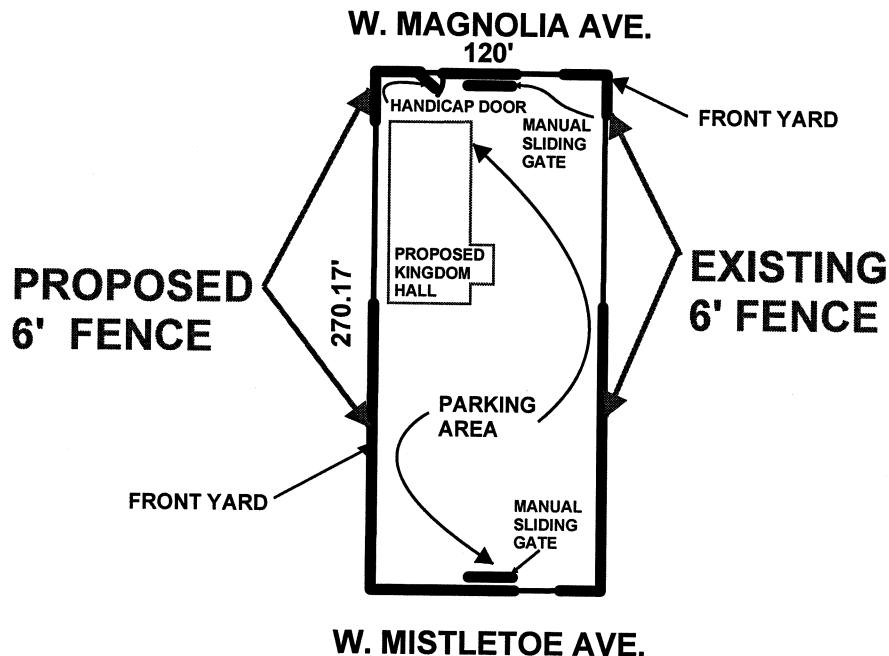
Zoned: "MF-33" Multi-Family District

The applicant requests 1.) a 2 foot variance from the maximum 4 foot fence height requirement to keep a 6 foot solid screen fence within the front yard and 2.) a 2 foot variance from the maximum 4 foot fence height requirement to erect a 6 foot wrought iron fence within the front yard.

The Development Services Department could not issue a permit because Section 35-514 (c) (1) requires a maximum fence height of 4 feet within the front yard.

The City of San Antonio, Texas, desires that you as an interested property owner, be advised as to the action being taken in reference to this application and invites you to attend this public hearing to express your desires in the matter. Construction on the variances granted by the Board must be started within six (6) months of the date of the hearing

PLEASE COMPLETE AND RETURN THIS ENCLOSED NOTICE BY MAIL TO THE DEVELOPMENT SERVICES DEPARTMENT, P.O. BOX 839966, SAN ANTONIO, TEXAS, 78283-3966, WHETHER OR NOT YOU ATTEND THIS PUBLIC HEARING. FOR FURTHER INFORMATION PLEASE CALL (210) 207-8318



Plot Plan
A-04-128

Produced by the City of
San Antonio Planning Department
in cooperation with Development
Services Department

BOARD OF ADJUSTMENT

October 18, 2004

CASE NO. A-04-129

The Board of Adjustment will hold a Public Hearing at 1:00 PM on Monday, October 18 2004 in the Board Room, located on the 1st floor, Development & Business Services Center, 1901 S. Alamo Street, to consider the following application:

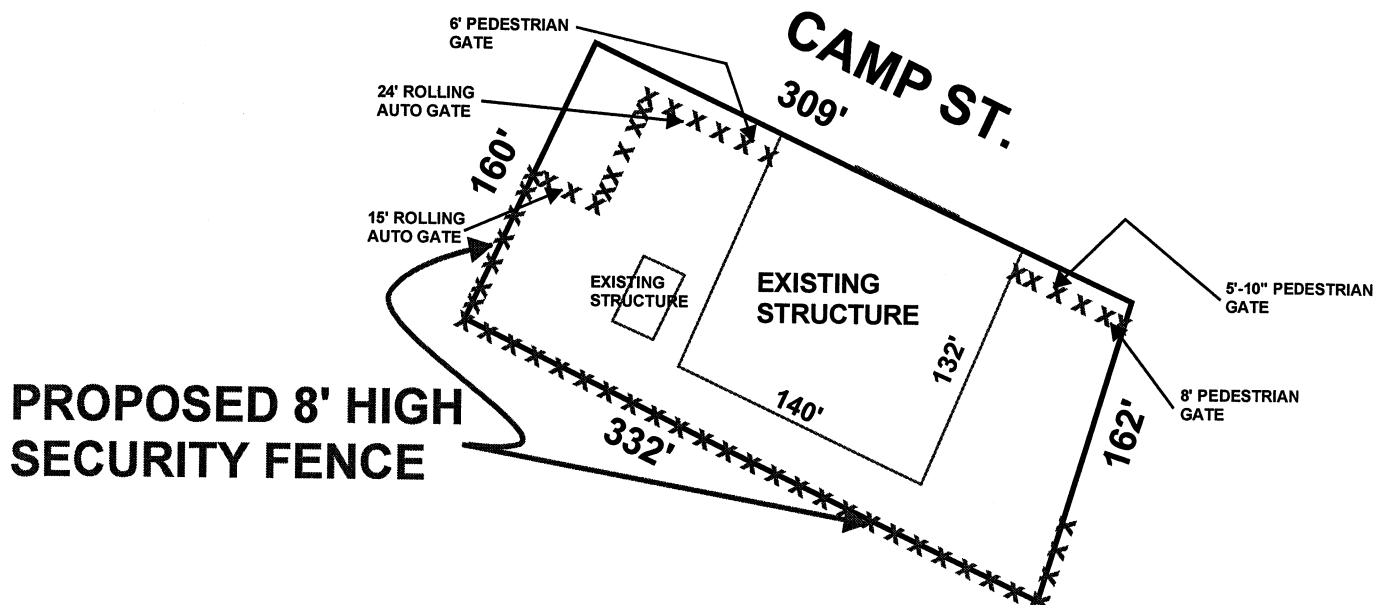
Camp Street Partners – Wes Wilkerson of Quality Fence & Welding
Lots 7, 8, 9, 10, 11, and the west 7X161.7 feet of the alley, Block 4, NCB 2561
114 Camp Street
Zoned: "IDZ HS" Historical Significance Infill Development Zone District

The applicant requests a 2-foot variance from the maximum 6-foot fence height requirement to erect an 8-foot fence.

The Development Services Department could not issue a permit because of Section 35-514 (c)(1) requires a maximum fence height of 6 feet.

The City of San Antonio, Texas, desires that you as an interested property owner, be advised as to the action being taken in reference to this application and invites you to attend this public hearing to express your desires in the matter. Construction on the variances granted by the Board must be started within six (6) months of the date of the hearing

PLEASE COMPLETE AND RETURN THIS ENCLOSED NOTICE BY MAIL TO THE DEVELOPMENT SERVICES DEPARTMENT, P.O. BOX 839966, SAN ANTONIO, TEXAS, 78283-3966, WHETHER OR NOT YOU ATTEND THIS PUBLIC HEARING. FOR FURTHER INFORMATION PLEASE CALL (210) 207-8318



**PROPOSED 8' HIGH
SECURITY FENCE**



**Plot Plan
A-04-129**

Produced by the City of
San Antonio Planning Department
in cooperation with Development
Services Department

BOARD OF ADJUSTMENT

October 18, 2004

CASE NO. A-04-130

The Board of Adjustment will hold a Public Hearing at 1:00 PM on Monday, October 18 2004 in the Board Room, located on the 1st floor, Development & Business Services Center, 1901 S. Alamo Street, to consider the following application:

Kenneth L. Denton

The southeast irregular 91.02 feet of Lot 2, NCB 3894
1207 North Flores Street

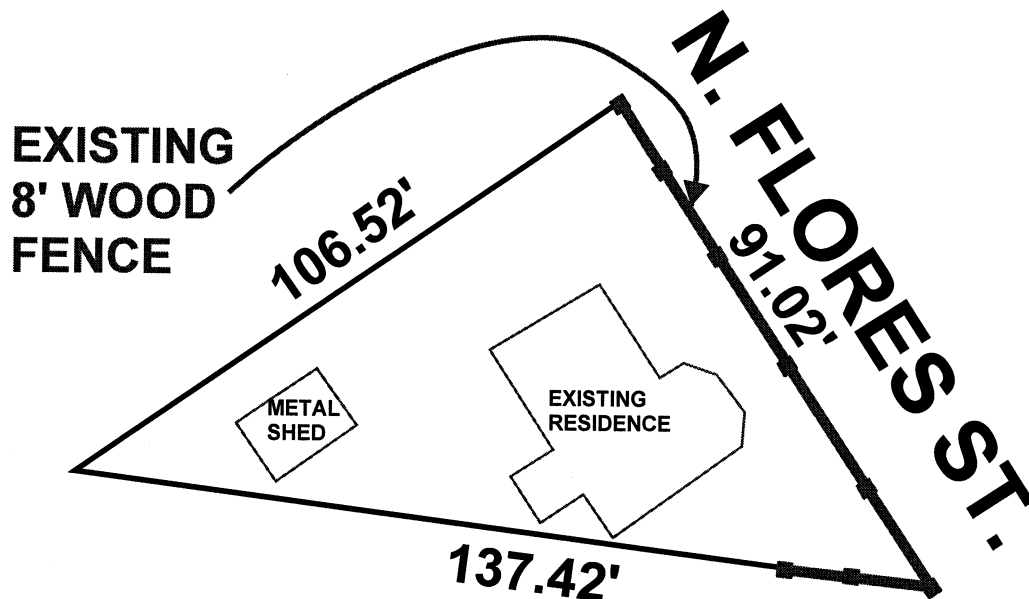
Zoned: "IDZ" Infill Development Zone District with uses permitted in "C-1" Commercial District and "R-4" Residential Single-Family District.

The applicant requests a 4-foot variance from the maximum 4-foot fence height requirement within the front yard to keep an existing 8 foot fence along the east property line and along a portion of the south property line.

The Development Services Department could not issue a permit because Section 35-514 (c)(1) requires a maximum fence height of 4 feet.

The City of San Antonio, Texas, desires that you as an interested property owner, be advised as to the action being taken in reference to this application and invites you to attend this public hearing to express your desires in the matter. Construction on the variances granted by the Board must be started within six (6) months of the date of the hearing

PLEASE COMPLETE AND RETURN THIS ENCLOSED NOTICE BY MAIL TO THE DEVELOPMENT SERVICES DEPARTMENT, P.O. BOX 839966, SAN ANTONIO, TEXAS, 78283-3966, WHETHER OR NOT YOU ATTEND THIS PUBLIC HEARING. FOR FURTHER INFORMATION PLEASE CALL (210) 207-8318



Plot Plan
A-04-130

Produced by the City of
San Antonio Planning Department
in cooperation with Development
Services Department

BOARD OF ADJUSTMENT

October 18, 2004

CASE NO. A-04-131

The Board of Adjustment will hold a Public Hearing at 1:00 PM on Monday, October 18, 2004 in the Board Room, located on the 1st floor, Development & Business Services Center, 1901 S. Alamo Street, to consider the following application:

Norma Bergeron

The east and north irregular 76.93 feet of the west irregular 187.4 feet of Lot B, Block 4, NCB 7789

320 Stonewall Avenue

Zoned: "R-6" Residential Single-Family District

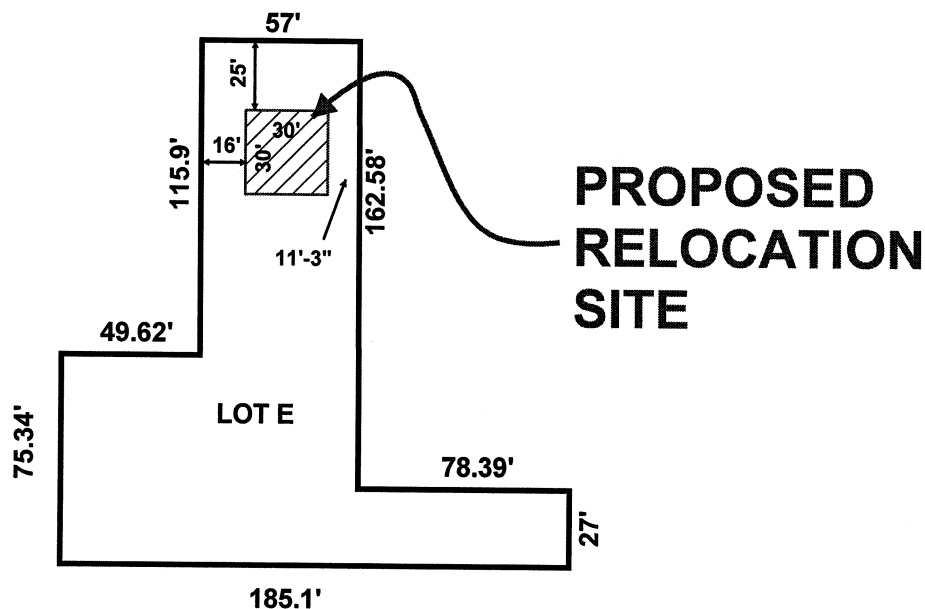
The applicant requests a Special Exception to relocate a structure from 701 West Theo Avenue to 320 Stonewall Avenue.

The Development Services Department could not issue a permit because Section 35-389 gives only the Board of Adjustment the authority to grant this Special Exception.

The City of San Antonio, Texas, desires that you as an interested property owner, be advised as to the action being taken in reference to this application and invites you to attend this public hearing to express your desires in the matter.

PLEASE COMPLETE AND RETURN THE ENCLOSED NOTICE BY MAIL TO THE DEVELOPMENT SERVICES DEPARTMENT, P.O. BOX 839966, SAN ANTONIO, TEXAS, 78283-3966, WHETHER OR NOT YOU ATTEND THIS PUBLIC HEARING. FOR FURTHER INFORMATION PLEASE CALL (210) 207-8318

STONEWALL AVE.



Plot Plan
A-04-131

Produced by the City of
San Antonio Planning Department
in cooperation with Development
Services Department

BOARD OF ADJUSTMENT

October 18, 2004

CASE NO. A-04-132

The Board of Adjustment will hold a Public Hearing at 1:00 PM on Monday, October 18, 2004 in the Board Room, located on the 1st floor, Development & Business Services Center, 1901 S. Alamo Street, to consider the following application:

Pablo Garcia

The north triangular 89 feet of Lot 34 and the north irregular 89 feet of Lot 35, Block 7, NCB 8641

435 Mayberry Avenue

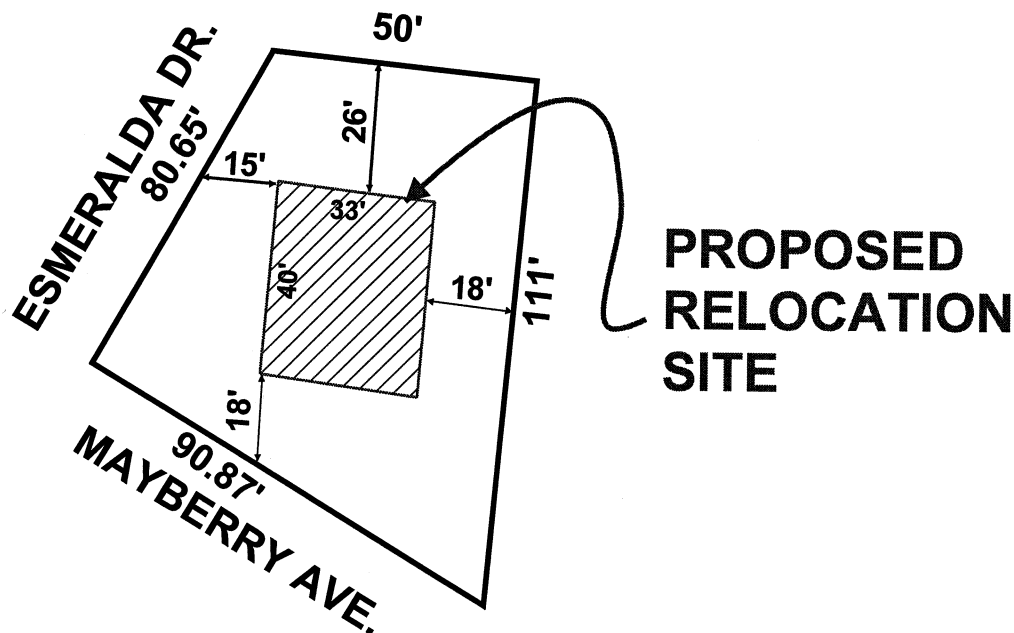
Zoned: "R-5" Residential Single-Family District

The applicant requests a Special Exception to relocate a structure from 5250 Evers Road to 435 Mayberry Avenue.

The Development Services Department could not issue a permit because Section 35-389 gives only the Board of Adjustment the authority to grant this Special Exception.

The City of San Antonio, Texas, desires that you as an interested property owner, be advised as to the action being taken in reference to this application and invites you to attend this public hearing to express your desires in the matter.

PLEASE COMPLETE AND RETURN THE ENCLOSED NOTICE BY MAIL TO THE DEVELOPMENT SERVICES DEPARTMENT, P.O. BOX 839966, SAN ANTONIO, TEXAS, 78283-3966, WHETHER OR NOT YOU ATTEND THIS PUBLIC HEARING. FOR FURTHER INFORMATION PLEASE CALL (210) 207-8318



Plot Plan
A-04-132

Produced by the City of
San Antonio Planning Department
in cooperation with Development
Services Department

BOARD OF ADJUSTMENT

October 18, 2004

CASE NO. A-04-133

The Board of Adjustment will hold a Public Hearing at 1:00 PM on Monday, October 18, 2004 in the Board Room, located on the 1st floor, Development & Business Services Center, 1901 S. Alamo Street, to consider the following application:

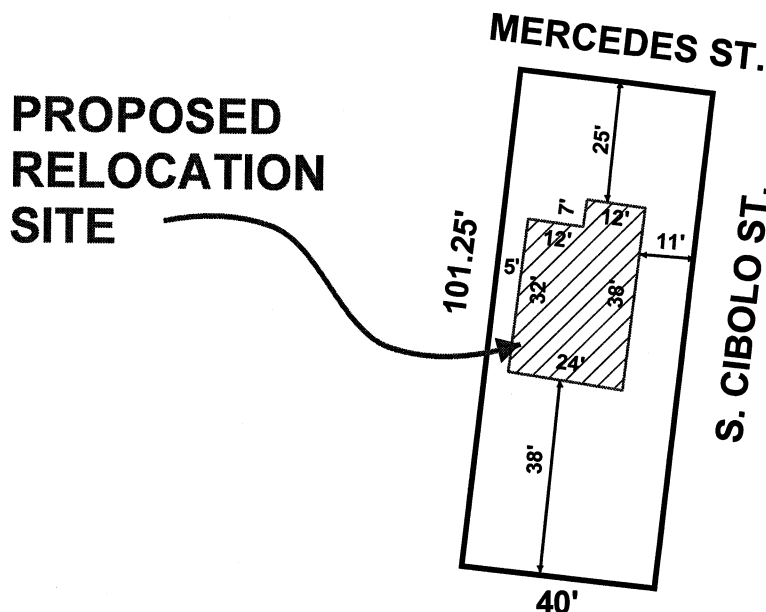
Miguel Tecuanhuey
Lot 1, NCB 6873
500 Mercedes Street
Zoned: "R-4" Residential Single-Family District

The applicant requests a Special Exception to relocate a structure from 11310 South Zarzamora Street to 500 Mercedes Street.

The Development Services Department could not issue a permit because Section 35-389 gives only the Board of Adjustment the authority to grant this Special Exception.

The City of San Antonio, Texas, desires that you as an interested property owner, be advised as to the action being taken in reference to this application and invites you to attend this public hearing to express your desires in the matter.

PLEASE COMPLETE AND RETURN THE ENCLOSED NOTICE BY MAIL TO THE DEVELOPMENT SERVICES DEPARTMENT, P.O. BOX 839966, SAN ANTONIO, TEXAS, 78283-3966, WHETHER OR NOT YOU ATTEND THIS PUBLIC HEARING. FOR FURTHER INFORMATION PLEASE CALL (210) 207-8318



Plot Plan
A-04-133

Produced by the City of
San Antonio Planning Department
in cooperation with Development
Services Department